

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

MANUEL MEJIA MENDEZ, individually and on behalf
of others similarly situated,

Plaintiff(s)

v.

BAR PIZZERIA RESTAURANT PRIMERA
LTD.(d/b/a VINICIO'S RESTAURANT), BANTE
CORPORATION (d/b/a VINICIO'S RESTAURANT),
TEOFILO VENICIO MENDEZ, And GLORIA DOE,

Defendant(s)

Civil Action No. 25-cv-1615

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* see attached rider

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

MICHAEL FAILLACE ESQ.
60 East 42nd Street, Suite 4510
New York, New York 10165
Telephone: (212) 317-1200

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 3/24/2025



BRENNA B. MAHONEY
CLERK OF COURT

Shirley Mora

Signature of Clerk or Deputy Clerk

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Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (I))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____
_____ *Server's signature*

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Michael Faillace [MF-8436]
Michael Faillace Esq.
60 East 42nd Street, Suite 4510
New York, New York 10165
(212) 317-1200

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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***CARLOS LOPEZ, individually and on behalf of
others similarly
situated,***

Plaintiff,

***RIDER TO REQUEST FOR
SUMMONS***

-against-

BAR PIZZERIA RESTAURANT PRIMERA
LTD.(d/b/a VINICIO'S RESTAURANT),
BANTE CORPORATION (d/b/a VINICIO'S
RESTAURANT), TEOFILO VENICIO
MENDEZ, And GLORIA DOE,

Defendants.

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Primera Pizzeria LTD.(d/b/a Vinicio's Restaurant)
40-21 108th Street, Queens,
New York 11368

Bante Corporation (d/b/a Vinicio's Restaurant)
40-21 108th Street, Queens,
New York 11368

Teofilo Venicio Mendez
40-21 108th Street, Queens,
New York 11368

Gloria Doe
40-21 108th Street, Queens,
New York 11368